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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 1 (c)

ORGANIZATION OF WORK: METHODS OF WORK OF THE SUB-COMMISSION

Report of the sessional working group on the methods of work of the Sub-Commission, established pursuant to Sub-Commission decision 1997/102

Chairman-Rapporteur: Mr. Marc Bossuyt

1. At its 3rd meeting, on 5 August 1997, the Sub-Commission, upon the recommendation of its officers, decided to establish a sessional working group on the methods of work of the Sub-Commission (decision 1997/102). The task of the working group was (a) to consider the working paper on methods of work of the Sub-Commission prepared by Mr. R. Hatano pursuant to Sub-Commission decision 1996/114 (E/CN.4/Sub.2/1997/3) and (b) to exchange views among the members in connection with other aspects of the work of the Sub-Commission with the purpose of making appropriate suggestions and recommendations to the plenary of the Sub-Commission.

2. Following nominations made by the various regional groups, the Sub-Commission approved the following composition of the working group: Mr. M. Alfonso-Martínez, Mr. M. Bossuyt, Mr. S. Chernichenko, Mr. R. Hatano, Mr. M. Mehedi. Mr. Bossuyt was elected Chairman-Rapporteur by acclamation.

3. The working group held one meeting, on 6 August 1997. It was open to all members of the Sub-Commission. The meeting was also attended by observers for States and intergovernmental and non-governmental organizations.

4. The working group had before it the working paper prepared by Mr. Hatano, which was introduced by the author.

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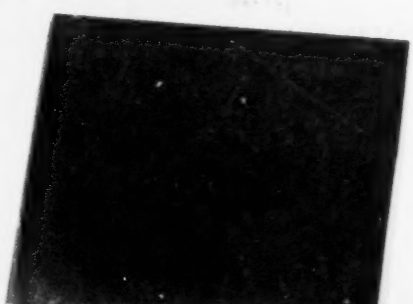

5. In the course of its meeting, the working group was able to consider rules 1 to 38 of the "Draft compilation of rules of procedure, guidelines and practices applicable to the Sub-Commission", as contained in the working paper prepared by Mr. Hatano.

6. Some of the rules were orally revised by Mr. Hatano. In the course of the discussion, members of the Sub-Commission also introduced several proposals with a view to modifying, supplementing or deleting some of the rules.

7. The following rules received no comments from the participants of the working group: 4, 7 to 12, 14, 17 to 19, 21, 23, 25, 27, 30 to 38.

8. The discussion concentrated mainly on the following rules and/or issues:

(a) Rule 2 (Date of opening). It was felt that the date of opening of sessions should not necessarily be fixed in the rules of procedure. The issue of extending the duration of Sub-Commission session was referred to. It was decided not to take a decision on this issue. On the question of observing, at the commencement of each session, "a minute of silence in honour of victims of all forms of violations of human rights in all regions of the world", it was felt that the words "in honour of victims" could be better replaced by "in memory of victims". No consensus was reached on the proposal to delete the words "all forms of" or on the suggestion to add a reference to specific categories of persons, which was found by some experts to be restrictive;

(b) Rules 5 and 6 (Drawing up of the provisional agenda and communication of the provisional agenda). It was felt that the question of the persons/bodies entitled to propose new items for inclusion in the provisional agenda of the Sub-Commission should be further considered with a view to limiting their number. The issue of documentation was also raised in connection with the rules, and it was proposed that a provision requesting the Secretariat to send to the experts all available documents well in advance of the session (at least three weeks before) should be included in the guidelines. According to another proposal, the experts should be requested, in a separate guideline or rule, to respect the 10-week deadline for the submission of reports, studies and working papers with which they had been entrusted;

(c) Rule 13 (Alternates). A proposal was made to study the possibility of electing alternates independently, rather than simultaneously with members. The issue of the role of alternates, including their membership in working groups and their participation in Sub-Commission debates together with members, was also discussed at length;

(d) Rule 15 (Election of officers). It was proposed that the officers should normally be elected in turns from the five geographic regions "unless the Sub-Commission decides otherwise";

(e) Rule 16 (Terms of office). There was agreement that the provision prohibiting the re-election of the Chairperson and the Rapporteur might be dropped;

(f) Rule 20 (Voting rights of the officers). It was generally felt that the Chairperson should continue to refrain from exercising his or her voting rights;

(g) Rule 24 (Rules of procedure). It was felt that rule 20 of the rules of procedure should not apply to the proceedings of its working groups;

(h) Rule 28 (Estimates of expenditure). It was noted that the Secretariat had for some time not been providing the Sub-Commission with the estimates of the programme budget implications of the proposals which were before it;

(i) Rule 29 (Official and working languages). Some experts stated that the issue of the official and working languages needed further clarification.

9. The issue of the nature of the exercise being undertaken with respect to the document submitted by Mr. Hatano and the follow-up to be given to it was also raised in the course of the debate.